

**REMARKS**

By this Amendment, Applicants amend claims 1, 9-11, 14, 16, 18, 20, 28-30, 33, 35, and 37; and cancel claims 2, 15, 21, and 34 without prejudice or disclaimer of the subject matter therein. Claims 1, 3-14, 16-18, 20, 22-33, and 35-37 are now pending in this application.

In the Office Action,<sup>1</sup> the Examiner rejected claims 1-18 and 20-37 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2002/0092004 to Lee et al. ("*Lee*"). Applicants respectfully traverse the rejection. A *prima facie* case of obviousness has not been established.

"The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious." M.P.E.P. § 2142(III), 8th Ed., Rev. 6 (Sept. 2007). "[T]he framework for objective analysis for determining obviousness under 35 U.S.C. 103 is stated in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). . . . The factual inquiries . . . are as follows:

- (A) [Determining the scope and content of the prior art;]
  - (B) Ascertaining the differences between the claimed invention and the prior art;
- and
- (C) Resolving the level of ordinary skill in the pertinent art."

---

<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

M.P.E.P. § 2141(II). "Office personnel must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art." M.P.E.P. § 2141(III).

Independent claim 1 recites a system comprising, among other things, "said input/output means . . . enabling editing of said meta data."

*Lee* discloses a process including steps for "Initializ[ing an] XML Meta Document" and "Synchroniz[ing an] XML Meta Document." *Lee*, Fig. 10, refs. 205 and 210. *Lee* further discloses, "XML meta documents 36 generated by universal modeling language (UML) applications are converted into design database files 34 . . . . These XML meta documents may then be imported into the generator program 28." *Lee*, para. [0037]. However, *Lee* is completely silent with respect to any editing of the XML meta documents. Therefore, *Lee* fails to teach or suggest "said input/output means . . . enabling editing of said meta data," as recited in claim 1.

Independent claim 1 further recites "a generation tool comprising a first tool and a second tool, said first tool being a meta data dependent passer element and said second tool being a meta data independent generating element."

*Lee* discloses, "XML meta documents 36 may . . . be imported into the generator program 38." *Lee*, para. [0037]. *Lee* further discloses, "in another embodiment, the design program . . . [26] analyzes the structure of mainframe applications that use DB2 or similar legacy technologies, as well as small database applications that use technologies such as Paradox, MS Access and MySQL." *Lee*, para. [0038]. However, *Lee* fails to teach or suggest that the generator program 38 "comprises a first tool and a

second tool,” as recited in claim 1. *Lee* further fails to disclose any component of the generator program 38 that is “a meta data independent generating element,” as recited in claim 1. Accordingly, *Lee* fails to teach or suggest “a generation tool comprising a first tool and a second tool, . . . said second tool being a meta data independent generating element,” as recited in claim 1.

For at least the foregoing reasons, the scope and content of the prior art have not been properly determined, and the differences between the prior art and claim 1 have not been properly ascertained. Accordingly, no reason has been clearly articulated as to why the prior art would have rendered claim 1 obvious to one of ordinary skill in the art. Therefore, a *prima facie* case of obviousness has not been established with respect to claim 1.

Independent claims 14, 18, 20, 33, and 37, although different in scope from claim 1, are allowable for at least reasons similar to those given for claim 1. Dependent claims 3-13, 16, 17, 22-32, 35, and 36 are allowable at least due to their dependence from allowable base claims 1, 14, 20, and 33. Claims 2, 15, 21, and 34 have been canceled, rendering the rejection thereof moot. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

### **CONCLUSION**

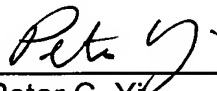
In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 6, 2008

By:   
Peter C. Yi  
Reg. No. 61,790  
202.408.4485